

Alabama Department of Environmental Management (ADEM), in conjunction with the above captioned project. Pursuant to 40 CFR 121.6 and section 157.22(b) of the Commission's regulations,<sup>1</sup> we hereby notify ADEM of the following:

*Date of Receipt of the Certification Request:* August 22, 2022.

*Reasonable Period of Time to Act on the Certification Request:* August 22, 2023.

If ADEM fails or refuses to act on the water quality certification request on or before the above date, then the agency certifying authority is deemed waived pursuant to section 401(a)(1) of the Clean Water Act, 33 U.S.C. 1341(a)(1).

Dated: March 28, 2023.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2023-06858 Filed 4-3-23; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas & Oil Pipeline Rate and Refund Report filings:

#### Filings Instituting Proceedings

*Docket Numbers:* RP23-601-000.  
*Applicants:* El Paso Natural Gas Company, L.L.C.

*Description:* § 4(d) Rate Filing: Non-Conforming Agreement Filing (JBS Tolleson) to be effective 5/1/2023.

*Filed Date:* 3/28/23.

*Accession Number:* 20230328-5187.

*Comment Date:* 5 p.m. ET 4/10/23.

*Docket Numbers:* RP23-602-000.  
*Applicants:* El Paso Natural Gas Company, L.L.C.

*Description:* § 4(d) Rate Filing: Negotiated Rate Agreement Update (TEP May 23) to be effective 5/1/2023.

*Filed Date:* 3/29/23.

*Accession Number:* 20230329-5067.

*Comment Date:* 5 p.m. ET 4/10/23.

*Docket Numbers:* RP23-603-000.  
*Applicants:* Colorado Interstate Gas Company, L.L.C.

*Description:* § 4(d) Rate Filing: Negotiated Rate Agreement Filing (TMV Apr 23) to be effective 4/1/2023.

*Filed Date:* 3/29/23.

*Accession Number:* 20230329-5081.

*Comment Date:* 5 p.m. ET 4/10/23.

*Docket Numbers:* RP23-604-000.  
*Applicants:* Trunkline Gas Company, LLC.

*Description:* § 4(d) Rate Filing: Non-Conforming NRA with FP&L to be effective 4/1/2023.

*Filed Date:* 3/29/23.

*Accession Number:* 20230329-5102.

*Comment Date:* 5 p.m. ET 4/10/23.

*Docket Numbers:* RP23-605-000.

*Applicants:* Trunkline Gas Company, LLC.

*Description:* § 4(d) Rate Filing: Non-Conforming List Update—FP&L to be effective 4/1/2023.

*Filed Date:* 3/29/23.

*Accession Number:* 20230329-5103.

*Comment Date:* 5 p.m. ET 4/10/23.

*Docket Numbers:* RP23-606-000.

*Applicants:* El Paso Natural Gas Company, L.L.C.

*Description:* § 4(d) Rate Filing: Negotiated Rate Agreement Update (SoCal Apr 2023) to be effective 4/1/2023.

*Filed Date:* 3/29/23.

*Accession Number:* 20230329-5126.

*Comment Date:* 5 p.m. ET 4/10/23.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: March 29, 2023.

**Debbie-Anne A. Reese,**

Deputy Secretary.

[FR Doc. 2023-06983 Filed 4-3-23; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2544-052]

#### Hydro Technology, Inc.; Notice of Application Accepted for Filing, Ready For Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, And Prescriptions

Take notice that the following license application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Subsequent License.

b. *Project No.:* P-2544-052.

c. *Date filed:* December 27, 2021.

d. *Applicant:* Hydro Technology, Inc.

e. *Name of Project:* Meyers Falls Hydroelectric Project (Project).

f. *Location:* The existing project is located on the Colville River near the city of Kettle Falls, Stevens County, Washington. The project does not affect federal lands.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:* Benjamin Hendrickson, President, Hydro Technology Systems, Inc., 897 Greenwood Loop Rd., PO Box 245, Kettle Falls, WA 99141; Telephone (509) 933-7629.

i. *FERC Contact:* Maryam Zavareh, (202) 502-8474, [maryam.zavareh@ferc.gov](mailto:maryam.zavareh@ferc.gov).

j. *Deadline for filing comments, recommendations, terms and conditions, and prescriptions:* 60 days from the issuance date of this notice; reply comments are due 105 days from the issuance date of this notice.

The Commission strongly encourages electronic filing. Please file comments, recommendations, terms and conditions, and prescriptions using the Commission's eFiling system at <https://ferconline.ferc.gov/FERC.aspx>.

Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/Quick.aspx>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P-2544-052.

The Commission's Rules of Practice require all intervenors filing documents

<sup>1</sup> 18 CFR 157.22(b) (2022).

with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted for filing and is now ready for environmental analysis.

l. The existing Meyers Falls Project consists of: (1) a 10-acre reservoir; (2) a 24.5-foot-high, 306-foot-long, concrete and earth-fill embankment dam; (3) a 100-foot-long concrete spillway section containing five 20 feet, 3.5 inch wide, 6 feet high bulkheads; (4) a 46-foot-wide, 20-foot-deep, 360-foot-long intake channel with a 19-foot-wide and 11-foot-deep trashrack at the entrance point; (5) a 4-foot-diameter, 323-foot-long steel penstock conveying flow from intake to powerhouse; (6) a 31.5-foot-wide, 55.5-foot-long, 15.5-foot-high steel reinforced concrete powerhouse containing two generating units with a total installed capacity of 1.2 megawatts; (7) a 4,600-foot-long, 13.8-kilovolt transmission line; and (8) appurtenant facilities. The Meyers Falls Project is operated in a run-of-river mode with an average annual generation of 7,883 megawatt-hours per year.

m. A copy of the application can be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support.

All filings must (1) bear in all capital letters the title "COMMENTS", "REPLY COMMENTS", "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person submitting the filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Each filing must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in

accordance with 18 CFR 4.34(b) and 385.2010.

You may also register online at <https://ferconline.ferc.gov/FERCOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. *The applicant must file no later than 60 days following the date of issuance of this notice either:* (1) evidence of the date on which the certifying agency received the certification request; (2) a copy of the water quality certification; or (3) evidence of waiver of water quality certification. Please note that the certification request must comply with 40 CFR 121.5(b), including documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request. Please also note that the certification request must be sent to the certifying authority and to the Commission concurrently

o. *Procedural schedule:* The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

*Deadline for Filing Comments, Recommendations, and Agency Terms and Conditions/Prescriptions:* May 2023

*Licensee's Reply to REA Comments:* July 2023

p. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of this notice.

Dated: March 28, 2023.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2023-06857 Filed 4-3-23; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

**[EPA-HQ-OGC-2023-0191; FRL-10804-01-OGC]**

### Proposed Consent Decree, Clean Air Act Citizen Suit

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with the Clean Air Act, as amended (CAA or the Act), notice is hereby given of a proposed consent decree in *Citizens for Clean Air, et al. v. Michael S. Regan, et al.*, No.

2:22-cv-01382-RSL (W.D. Wa.). On September 28, 2022, Plaintiffs Citizens for Clean Air and Sierra Club filed a complaint in the United States District Court for the Western District of Washington alleging that the Environmental Protection Agency (EPA or the Agency) failed to perform a non-discretionary duty in accordance with the Act to take final action to approve, disapprove or conditionally approve, in whole or in part, a nonattainment state implementation plan (SIP) submission made by the State of Alaska. The State made the SIP submission at issue to address certain nonattainment area plan requirements for purposes of the 2006 24-hour PM<sub>2.5</sub> national ambient air quality standards (NAAQS) for the Fairbanks North Star Borough area. The proposed consent decree would establish a deadline for EPA to take final action on the SIP submission.

**DATES:** Written comments on the proposed consent decree must be received by May 4, 2023.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2023-0191, online at <https://www.regulations.gov> (EPA's preferred method). Follow the online instructions for submitting comments.

*Instructions:* All submissions received must include the Docket ID number for this action. Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the "Additional Information about Commenting on the Proposed Consent Decree" heading under the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Geoffrey L. Wilcox, Air and Radiation Law Office, Office of General Counsel, U.S. Environmental Protection Agency; telephone (202) 564-5601; email address [wilcox.geoffrey@epa.gov](mailto:wilcox.geoffrey@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Obtaining a Copy of the Proposed Consent Decree

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2023-0191) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday